

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C) .No. 32265 of 2006(N)

PETITIONER:

1. E.SAJEESH, SALESMAN,
REMYA HOUSE, THIRUTHYAD, PUTHIYARA,
KOZHIKODE.
2. LIJESH GOVIND, SALESMAN,
KIZHAKKAYIL, KADIYANGAD, PERAMBRA,
KOZHIKODE.
3. PRAMOD KUMAR, SALESMAN,
ODAYAMANGALATH, MEETHALA, CHEVAYUR,
KOZHIKODE.
4. HEMALATHA, SALESGIRL,
KARATE HOUSE, VELLIPARAMBA, KOZHIKODE.
5. SHAJEER.P., SALESMAN,
BAITHUL THAHIRA, PATTELTHAZHAM, KOKKUNNU,
KOZHIKODE.
6. PREMARAJAN, SALESMAN,
KIZHAKKETHUDY HOUSE, FAROKE, KOZHIKODE.
7. MARWAL, PHARMACIST,
VANISSERY HOUSE, KUTTICHIRA, KOZHIKODE.
8. AJITHA P.K., ASSISTANT SALESGIRL,
MALAPARAMBA HOUSING COLONY, KOZHIKODE.
9. SURESH KUMAR V.M., SALESMAN,
VADAKKE KAYYALIL HOUSE,
PATHIYARAKKARA P.O., VATTAKARA, KOZHIKODE.
10. SIVADASAN M.P., RELEPHONE OPERATOR,
VADAKKEDATH HOUSE, POKKUNNU P.O.,
CALICUT-13.

BY ADV. SRI.P.P.JACOB
SRI.B.MANIMOHAN
SRI.N.T.SATHYAVAN

RESPONDENTS:

1. THE KOZHIKODE DISTRICT CO-OPERATIVE
HOSPITAL LTD. NO.D2002, ERANHIPALAM,
KOZHIKODE, REP.BY ITS SECRETARY.
2. THE MANAGIGN COMMITTEE OF THE
KOZHIKODE DISTRICT CO-OPERATIVE HOSPITAL LTD
NO.D2002, ERANHIPALAM, KOZHIKODE,
REP.BY ITS PRESIDENT.
3. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (G), KOZHIKODE.

BY ADV. SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S.SIRI JAGAN, J.

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W.P. (C) .No.32265 of 2006

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Dated this the 26th day of February, 2007

J U D G M E N T

The petitioners are employees of the 1st respondent society. They are aggrieved by Exts.P6 and P19 to P24 notices issued by the 1st respondent. In so far as Exts.P6 and P19 to P24 are only show-cause notices directing the petitioners to show-cause against the proposed action stated in those notices, I am not inclined to exercise my discretionary jurisdiction under Article 226 of the Constitution of India in favour of the petitioners against Exts.P6 and P19 to P24.

2. However, the learned counsel for the petitioners expresses apprehension that although the petitioners have filed reply to the show-cause notices, the 1st respondent has already taken a decision to terminate the services of the petitioners and expresses an apprehension that

orders would be passed in accordance with that decision without considering their explanation. They also would contend that termination of their service would be without jurisdiction.

3. Heard both sides.

4. In view of the facts and circumstances of the case, this writ petition is disposed of with a direction to the respondents to consider the explanations submitted by the petitioners to the show-cause notices and pass a speaking order dealing with all their contentions, which shall be served on the petitioners. If the orders are adverse to the petitioners, the same would not be given effect to for a period of 10 days from the date of service of the orders on the petitioners, to enable them to challenge the same appropriately.

The writ petition is disposed of as above.

Sd/-

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S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.

